

Edwin Aiwarzian (Cal. State Bar No. 232943)

edwin@calljustice.com

Arby Aiwarzian (Cal. State Bar No. 269827)

arby@calljustice.com

Tara Zabehi (Cal. State Bar No. 314706)

tara@calljustice.com

LAWYERS *for* JUSTICE, PC

450 North Brand Blvd., Suite 900

Glendale, California 91203

Tel.: (818) 265-1020 / Fax: (818) 265-1021

Attorneys for Plaintiff Sheila Kincaid and the Class

[Additional Counsel Listed on Following Page]

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

SHEILA KINCAID; individually, and on
behalf of other members of the general
public similarly situated,

Plaintiff,

vs.

EDUCATIONAL CREDIT
MANAGEMENT CORPORATION, an
unknown business entity; ECMC GROUP,
an unknown business entity; and DOES 1
through 100, inclusive,

Defendants.

Case No. 2:21-CV-00863-TLN-JDP

Honorable Troy L. Nunley

**STIPULATION TO REMAND ACTION TO
STATE COURT; ORDER**

Complaint Filed:

February 26, 2021

Trial Date:

None Set

1 Jill J. Parker (Cal. State Bar No. 274230)
2 jill@parkermanne.com
3 S. Emi Minne (Cal. State Bar No. 253179)
4 emi@parkermanne.com
5 **PARKER & MINNE, LLP**
6 700 S. Flower Street, Suite 1000
7 Los Angeles, California 90017
8 Tel.: (310) 882-6833 Fax: (310) 889-0822

9 Attorneys for Plaintiff Sheila Kincaid and the Class

10 **DILLINGHAM & MURPHY, LLP**
11 CARLA J. HARTLEY (CA SBN 117213)
12 155 Sansome Street, Suite 700
13 San Francisco, California 94104
14 Telephone: (415) 397-2700
15 Facsimile: (415) 397-3300
16 cjh@dillinghammurphy.com
17 ccc@dillinghammurphy.com

18 Attorneys for Defendants
19 EDUCATIONAL CREDIT
20 MANAGEMENT CORPORATION and
21 ECMC GROUP
22
23
24
25
26
27
28

TO THE HONORABLE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

Plaintiff Sheila Kincaid (“Plaintiff”) and Defendants Educational Credit Management Corporation and ECMC Group (“Defendants”) (together, the “Parties”) respectively submit the following Joint Stipulation as follows:

WHEREAS, on February 26, 2021, Plaintiff filed her original Class Action Complaint (“Complaint”) in the Superior Court of the State of California for the County of Sacramento, Case No. 34-2021-00295336 (the “State Court Action”), asserting the following ten causes of action on a class-wide basis: (1) Unpaid Overtime; (2) Unpaid Meal Period Premiums; (3) Unpaid Rest Period Premiums; (4) Unpaid Minimum Wages; (5) Final Wages Not Timely Paid; (6) Wages Not Timely Paid During Employment; (7) Non-Compliant Wage Statements; (8) Failure to Keep Requisite Payroll Records; (9) Unreimbursed Business Expenses; and (10) Violation of California Business & Professions Code sections 17200 et seq.;

WHEREAS, on May 12, 2021, Defendants removed the State Court Action to this Court;

WHEREAS, on May 20, 2022, the Parties participated in a private mediation and were unable to settle this case;

WHEREAS, the Parties conducted significant pre-certification discovery, including written discovery consisting of interrogatories, requests for admission, requests for production of documents, as well as party depositions, expert depositions, and percipient witness depositions;

WHEREAS, on March 29, 2024, the Court certified a class in this case;

WHEREAS, following the Court’s class certification ruling, the Parties agreed to attend a second mediation before Monique Ngo-Bonnici, an experienced wage-and hour-class action mediator, on April 14, 2025;

WHEREAS, with the aid of the mediator’s evaluations and under the auspices of the mediator, the Parties have reached a settlement, which, if granted court approval, will resolve the Action in its entirety;

WHEREAS, after meeting and conferring, the Parties have agreed that the appropriate jurisdiction for approval of the settlement in this Action is the Superior Court for the State of California, County of Sacramento and that remand of this action is in the interest of judicial efficiency and cost

savings;

IT IS HEREBY STIPULATED AND AGREED BETWEEN THE PARTIES, BY AND THROUGH THEIR COUNSEL OF RECORD, THAT:

The Action shall be remanded to the Superior Court for the State of California, County of Sacramento.

IT IS SO STIPULATED.

Dated: July 1, 2025

PARKER & MINNE, LLP

By: /s/ Jill J. Parker
Jill J. Parker
Attorneys for Plaintiff and the Class

Dated: July 1, 2025

DILLINGHAM & MURPHY, LLP

By: /s/ Carla J. Hartley
Carla J. Hartley
Attorneys for Defendants

ORDER


The Court, having received and reviewed the foregoing Joint Stipulation to Remand Action to State Court, and good cause appearing, hereby GRANTS the Parties' joint request and ORDERS the following:

This action, Eastern District of California Case No. 2:21-CV-00863-TLN-JDP, is hereby remanded to the Superior Court of California, County of Sacramento, Case No. 34-2021-00295336; and

In the event the Sacramento Superior Court does not enter a judgment and order granting final approval of the Parties' settlement and the Parties file a stipulation to remove the case again to this Court, the Court shall reopen the current case.

IT IS SO ORDERED.

Dated: July 1, 2025



Troy L. Nunley
Chief United States District Judge